

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

(1) WARREN CAPITAL CORPORATION,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 14-CV-236-TCK-TLW
	)	
(1) JESSE T. HOLLAND,	)	
(2) KATIE A. HOLLAND,	)	
(3) WILLIAM F. ELDER,	)	
(4) KTW OIL & GAS, LLC,	)	
	)	
Defendants.	)	

**DEFENDANT KTW OIL & GAS, LLC'S ANSWER**

Defendant KTW Oil & Gas, LLC, pursuant to the Federal Rules of Civil Procedure,  
states for its answer to the complaint:

1. Paragraph one is admitted.
2. Paragraph two is denied.
3. Paragraph three is denied.
4. Paragraph four is admitted.
5. Paragraph five is admitted.
6. Paragraph six is admitted.
7. Paragraph seven is admitted.
8. Paragraph eight is admitted.
9. Paragraph nine is admitted.
10. Paragraph ten is admitted.
11. Paragraph eleven is admitted.
12. Paragraph twelve is admitted.

13. Paragraph thirteen is admitted.
14. Paragraph fourteen is denied.
15. Paragraph fifteen is admitted.
16. Paragraph sixteen is denied.
17. Paragraph seventeen is denied.
18. Paragraph eighteen is denied.
19. Paragraph nineteen is denied.
20. No response is necessary to paragraph twenty.
21. Paragraph twenty-one is admitted.
22. Paragraph twenty-two is denied.
23. Paragraph twenty-three is denied.
24. Paragraph twenty-four is denied.
25. Paragraph twenty-five is denied.
26. Paragraph twenty-six is denied.
27. Paragraph twenty-seven is denied.
28. Paragraph twenty-eight is denied.
29. Paragraph twenty-nine is denied.
30. No response is necessary to paragraph thirty.
31. Paragraph thirty-one is denied.
32. Paragraph thirty-two is denied.
33. Paragraph thirty-three is denied.
34. No response is necessary to paragraph thirty-four.

35. Paragraph thirty-five is admitted.
36. Paragraph thirty-six is denied.
37. Paragraph thirty-seven is denied.
38. Paragraph thirty-eight is denied.
39. Paragraph thirty-nine is denied.
40. Paragraph forty is denied.
41. No response is necessary to paragraph forty-one.
42. Paragraph forty-two is denied.
43. Paragraph forty-three is denied.
44. Paragraph forty-four is denied.
45. Paragraph forty-five is denied.
46. Paragraph forty-six is denied.
47. Paragraph forty-seven is denied.
48. Paragraph forty-eight is denied.
49. Paragraph forty-nine is denied.
50. Paragraph fifty is denied.
51. Paragraph fifty-one is denied.
52. Paragraph fifty-two is denied.
53. No response is necessary to paragraph fifty-three.
54. Paragraph fifty-four is denied.
55. Paragraph fifty-five is denied.
56. Paragraph fifty-six is denied.

- 57. Paragraph fifty-seven is denied.
- 58. Paragraph fifty-eight is denied.
- 59. Paragraph fifty-nine is denied.
- 60. Paragraph sixty is denied.
- 61. Paragraph sixty-one is denied.
- 62. No response is necessary to paragraph sixty-two.
- 63. Paragraph sixty-three is admitted.
- 64. Paragraph sixty-four is denied.
- 65. Paragraph sixty-five is denied.
- 66. No response is necessary to paragraph sixty-six.
- 67. Paragraph sixty-seven is denied.
- 68. Paragraph sixty-eight is denied.
- 69. Paragraph sixty-nine is denied.

#### **AFFIRMATIVE DEFENSES**

- 70. Plaintiff has failed to state a claim upon which relief can be granted.
- 71. Plaintiff is not the proper party to bring this action under K.S.A. 17-76, 130.
- 72. Plaintiff has not pleaded with particularity the circumstances constituting fraud.
- 73. Plaintiff has not sufficiently pleaded time and place.
- 74. The complaint does not meet the pleading requirements of Rule 23.1(b) of the Federal Rules of Civil Procedure.
- 75. Some or all of plaintiff's claims are barred by estoppel.
- 76. Some or all of plaintiff's claims are barred by waiver.

77. Plaintiff has failed to join a party required to be joined under Rule 19 of the Federal Rules of Civil Procedure.

78. Venue is improper.

79. Lack of subject matter jurisdiction as plaintiff's claim against this defendant does not meet the requirements of 28 U.S.C. § 1332.

80. Plaintiff has ratified all acts and omissions complained of herein.

WHEREFORE, having answered, defendant KTW Oil & Gas, LLC prays that plaintiff takes nothing against defendant by virtue of the complaint asserted by plaintiff. Further, defendant should be awarded its attorney's fees and costs incurred in defending against the complaint of plaintiff and for further relief the Court deems just and equitable.

Respectfully submitted,

s/ Jessie V. Pilgrim  
Jessie V. Pilgrim  
OK Bar Number: 11152  
Attorney for Defendant KTW Oil & Gas, LLC  
Pilgrim Law Firm  
2121 S. Columbia Ave., Suite 302  
Tulsa, OK 74114  
Telephone: (918) 879-3700

#### **Certificate of Service**

I hereby certify that on 06/11/2014, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrant:

Trevor L. Hughes

s/ Jessie V. Pilgrim